

(c) an intermediate portion arranged between the upstream and downstream portions, wherein said intermediate portion comprises first and second members which are coupled together to provide a closed pocket for containing the dose of the therapeutic agent, and further wherein one of said first and second members is moveable relative to the other member; and

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(d) an actuator mechanism for initiating a flow of fluid from the source of fluid to the intermediate portion whereby pressure exerted by the fluid causes one of said first and second members to move relative to the other member, said first and second members being constructed and arranged such that upon said relative movement a passage is formed through said intermediate portion and said pocket is opened to expose the dose for entrainment in fluid flowing through said passage and into the downstream nozzle portion.

*A4*  
21. (Amended) The syringe of claim 14, wherein the [intermediate portion of said syringe comprises the capsule of any one of claims 1-13] closed pocket is prefilled with the dose of the therapeutic agent and said first and second members are sealably coupled together.

#### REMARKS

##### Introductory Comments:

The present application is a Section 371 national phase filing of International Application No. PCT/GB98/01980, filed 6 July 1998, which was based on European Patent Application No. 97304909.1, filed 4 July 1997. Accordingly, this application claims the priority benefit of International Application No. PCT/GB98/01980 and European Patent Application No. 97304909.1 pursuant to 35 U.S.C. §§119, 120 and 365.

##### Overview of the Amendments:

Applicants, by way of this preliminary amendment, have amended the specification to expressly claim the above-noted priority benefit and have entered claim amendments to recite the invention of claims 1, 13, 14 and 21 with greater particularity and to remove multiple dependencies. Support for the claim amendments can be found throughout

the specification, figures and claims of the parent international application as originally filed. Applicants respectfully request that these amendments be entered prior to calculation of the filing fees, and prior to examination of the present application on the merits.

Applicants respectfully submit that the claims define an invention which complies with the requirements of 35 U.S.C. § 112 and which is novel and nonobvious over the art. Accordingly, allowance is believed to be in order and an early notification to that effect would be appreciated.

Respectfully submitted,  
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